

REMARKS

In response to the office action of November 1, 2007 wherein Examiner Rowan stated that claim 28 contained allowable subject matter but was objected to as being depending on a rejected base claim the applicant has rewritten claim 28, which was dependent on claims 18 and 19, to include the limitations thereto in order to place claim 18 into allowable condition. Dependent claims 19 and 28 have been canceled.

As the allowable claim 18 did not cover the embodiment with a solid member shown in Figure 7 and Figure 8 applicant's attorney Carl Johnson requested a telephone interview with Examiner Curt Rowan on December 12, 2007. During the telephone interview the applicant's attorney faxed a proposed new claim 31 to Examiner Rowan for the purposes of discussion. The new claim 31, which is included herewith, is similar to allowable claim 18 except that the displacement member is not hollow. In order to over come the cited reference Ried (U.S. 4,461,114) the new claim 31 has been amended to point out the resiliently displacable elongated member extends through the bobber main body. In addition the spring has been made generic with the dependent claims now pointing out the use of either a compression spring or an extension spring.

During the interview applicant's attorney pointed out that Ried (U.S. 4,461,114) does not show or disclose an extendible member extending though his body. While no agreement was reached it was agreed that the amendment was on "the right track" and Examiner Rowan requested applicant to formally submit the amendment with the caveat that he might call to discuss.

In addition to the combination of claims 18, 19 and 28 to place amended claim 18 into allowable form the applicant includes new claim 31, which was discussed, as well as an amendment of the existing dependent claims to make all the existing dependent claims dependent on new independent claim 31, which applicant submits are now allowable.

Independent claims 29 has been canceled and independent claim 22 has been amended to point out the that the member extends through the bobber main body and is visible above the bobber main body. It is submitted that the Riead has no such member that extends though his body member and therefore he cannot have the member visible above the bobber main body.

It is submitted that the remaining claims 18, 23-27, 30 and 31 are now in allowable condition and a notice of allowance is respectfully requested.

In the event that Examiner Rowan wants to discuss the amendment applicant's attorney direct number is 651-433-4059.

Respectfully submitted,

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By



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VERSION OF AMENDMENTS SHOWING MARKINGS

In the Claims

1-17. (Canceled)

18. (Currently Amended) A two-stage fishing bobber responsive to different fishing forces comprising:

a bobber main body, said bobber main body providing a buoyant force to normally maintain the bobber main body in a floating condition; and

a spring having a spring constant that is substantially equal to the spring constant of the bobber in water so that the total force required to compress the spring with respect to the bobber main body causes complete submersion of the bobber main body; and

a resiliently displaceable member to allow the simultaneous submersion of the bobber main body and the displacement of the member with respect to the bobber main body so as to provide gradual resistance; wherein a force to bring the resiliently displaceable member to a down position is substantially equal to the buoyant force of the bobber main body so that a complete displacement of the member to the down position in a body of water results in the complete submersion of the bobber main body, the resiliently displaceable member including a hollow center allowing for a fishing line to run therethrough and a fishing line engaging member having an opening which allows an unknotted fishing line to slide through but can be blocked from sliding therethrough by a knot on the fishing line.

19- 21. (canceled)

22. (Currently Amended) A two-stage fishing bobber responsive to different fishing forces comprising:

a bobber main body, said bobber main body providing a buoyant force to normally maintain the bobber main body in a floating condition; and

a member extending through said bobber main body and visible above said bobber main bobber, said member resiliently and gradually displaceable in a body of water with respect to said bobber main body in response to a force on said member, said member having a displacement force equal to the buoyancy force of the bobber main body so that a complete displacement of the member to a down position results in the complete submersion of the bobber main body in the body of water to thereby allow the simultaneous and gradually submersion of the bobber main body and the gradually displacement of the member with respect to the bobber main body so as to provide gradual resistance.

23. (Currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 18 31 wherein the spring is a compression spring.

24. (Currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 18 31 wherein said spring is a tension spring.

25. (currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 18 31 including a stop cap connected to an upper end of the resiliently displaceable member to maintain the spring encircling a portion of the resiliently displaceable member.

26. (Currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 18 31 including a fixed stop connected to a lower end of the resiliently displaceable member to prevent the resiliently displaceable member from sliding through the bobber main body.

27. (Currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 18 31 including a resilient chemiluminescence capsule holder supported by said bobber main body to provide for nighttime fishing.

28-29. (Canceled).

30. (Currently amended) The two-stage fishing bobber responsive to different fishing forces of claim 29 31 wherein the spring is supported on an upper end of the bobber main body by the resiliently displaceable member.

31. (New) A two stage fishing bobber responsive to different fishing forces comprising:
a bobber main body, said bobber main body providing a buoyant force to normally maintain the bobber main body in a floating condition;
a spring having a spring constant so that a total force required to displace the spring to a down position with respect to the bobber main body causes a complete submersion of the bobber main body; and
a resiliently displaceable elongated member extending through said bobber main body, said resiliently displaceable elongated member extending through said bobber main

body to allow the simultaneous submersion of the bobber main body and the displacement of the resiliently displaceable elongated member with respect to the bobber main body so as to provide a gradual resistance to a fishing line attached to the resiliently displaceable elongated member, wherein a force to displace the resiliently displaceable elongated member to a down position is substantially equal to the buoyant force of the bobber main body so that a complete displacement of the resiliently displaceable elongated member to the down position in a body of water results in a complete submersion of the bobber main body.